

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/2/2024
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
SUSAN COMPETELLO, on behalf of herself and	:	
all others similarly situated,	:	24-CV-07875 (VEC)
	:	
	:	<u>ORDER</u>
Plaintiff,	:	
-against-	:	
	:	
	:	
SOULFLORA INC.,	:	
	:	
	:	
Defendant.	:	
-----X	:	

VALERIE CAPRONI, United States District Judge:

WHEREAS Plaintiff initiated this action on October 17, 2024, Compl., Dkt. 1;

WHEREAS on October 18, 2024, the Court scheduled an Initial Pretrial Conference in this matter for February 14, 2025, and stayed Defendant's time to respond to the Complaint until that date, Dkt. 5;

WHEREAS on November 12, 2024, Defendant filed a motion to dismiss the Complaint on the grounds that Plaintiff lacked standing, lack of personal jurisdiction, improper venue, and failure to state a claim upon which relief may be granted, *see* Dkts. 7–10; and

WHEREAS on November 26, 2024, Plaintiff filed an Amended Complaint, but failed to comply with Rule 4.E of the Undersigned Individual Practices in Civil Cases, as Plaintiff filed an exhibit purporting to be a redline of the Amended Complaint against the original Complaint, but which is in fact just another copy of the Amended Complaint, *see* Am. Compl., Dkt. 11;

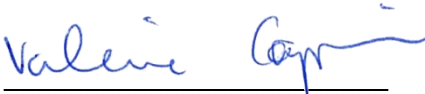
IT IS HEREBY ORDERED that Defendant's motion to dismiss is denied as moot. The stay of Defendant's time to respond to the Complaint imposed by the Court's prior Order at Dkt. 5 remains in force and applies to the Amended Complaint.

IT IS FURTHER ORDERED that by not later than Tuesday, December 3, 2024, Plaintiff must file a redlined version of the Amended Complaint comparing the revisions made to the Complaint.

The Clerk of Court is respectfully directed to terminate the open motion at Dkt. 7.

SO ORDERED.

Date: December 2, 2024
New York, New York



VALERIE CAPRONI
United States District Judge